

EXHIBIT A

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	C/A NO.: 2021-CP-26-_____
)	
Tanieka D. Gause,)	
)	
Plaintiff,	)	SUMMONS
)	
vs.)	
)	
Jurdon L. Thompson, Jr.,)	
)	
Defendant.)	

TO THE DEFENDANT ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on THE DERRICK LAW FIRM, at its office at Post Office Box 28, Conway, South Carolina, 29528, within Thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for the relief demanded in the Complaint and judgment by default will be rendered against you for the relief demanded in the Complaint.

DATED this 7th day of July, 2021

The Derrick Law Firm

s/Allyson R. Pittman

Allyson R. Pittman, Esquire
 Attorney for the Plaintiff
 PO Box 28
 Conway, SC 29528
 843-248-7486
allyson@derricklawfirm.com

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	C/A NO.: 2021-CP-26-_____
)	
Tanieka D. Gause,)	
)	
Plaintiff,	)	COMPLAINT
)	
vs.	)	(Jury Trial Requested)
)	
Jurdon L. Thompson, Jr.)	
)	
Defendant.)	

Plaintiff, Tanieka D. Gause (“Plaintiff”), by and through her undersigned counsel, complaining of the above-named Defendant, Jurdon L. Thompson, Jr. (“Defendant”), would respectfully show unto this Honorable Court the following:

1. Plaintiff is a citizen and resident of Little River, Horry County, South Carolina.
2. Upon information and belief, the Defendant is a citizen resident of the State of Texas, at all times relevant hereto working in Horry County, South Carolina.
3. The automobile collision constituting the subject matter of this Complaint occurred in Horry County, South Carolina.
4. Jurisdiction and venue are proper before this Honorable Court.

FACTS

5. On or about June 16, 2021, Plaintiff was the driver of a 2004 Chevrolet traveling northbound on SC 9 near Little River, Horry County, South Carolina.
6. At the same time, Defendant was the operator of a 2013 Ford turning left onto SC 9 from a private drive near Little River, Horry County, South Carolina.
7. Defendant negligently and recklessly failed to yield the right of way and pulled into the path of Plaintiff's vehicle.

8. As a direct and proximate result of the collision, Plaintiff suffered severe, painful, and permanent injuries.

FOR A CAUSE OF ACTION
(Negligence)

9. Plaintiff re-alleges and restates all previous paragraphs as if set forth herein verbatim.

10. Defendant owed a duty, while operating his vehicle, to exercise reasonable care to avoid collisions with other vehicles on the roadway.

11. The Defendant breached his duty and was negligent, reckless, willful, and wanton in the following particulars:

- (a) In failing to obey traffic laws;
- (b) In failing to keep a proper lookout;
- (c) In failing to keep his vehicle under proper control;
- (d) In failing to use due care;
- (e) In failing to properly observe the road and surrounding traffic conditions;
- (f) In operating the vehicle without using due care and without regard for safety and rights of Plaintiff;
- (g) In failing to maintain control of the vehicle;
- (h) In any other acts that represent a breach of the statutory or common laws of the State of South Carolina;
- (i) In failing to use that degree of care and caution necessary in the conditions that then and there existed;
- (j) In failing to adhere to laws as set forth under the Uniform Act Regulating Traffic on Highways. S.C. Code Ann. § 56-5-10 *et seq.*

(k) In any other such manner that Plaintiff may become aware of through discovery and/or at trial.

12. The Defendant's actions constitute gross negligence and negligence *per se*.

13. As a result of the aforesaid acts and/or omissions of the Defendant, the Plaintiff sustained damages including:

(a) Pain and suffering;

(b) Injuries to and about her body;

(c) Limitation of motion;

(d) Worry, headaches, mental anguish and mental anxiety;

(e) Permanent impairment, injuries, and disabilities;

(f) Inability to perform his normal duties at work;

(g) Loss of income;

(h) Medical bills;

(i) Loss of enjoyment of life;

(j) Property damage; and

(k) Any other losses which may be unearthed throughout the litigation of this matter.

WHEREFORE, Plaintiff prays this Court enter judgment against Defendant for actual damages in an amount greater than one hundred thousand dollars and punitive damages in an appropriate amount, and for the costs of this action and for such other and further relief as this Honorable Court deems just, in an amount to be determined by a jury.

[Signature Page to Follow]

The Derrick Law Firm

s/Allyson R. Pittman

Allyson R. Pittman, Esquire
Attorney for the Plaintiff
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July 7, 2021
Conway, South Carolina

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HORRY	)	FIFTEENTH JUDICIAL CIRCUIT
	)	Civil Action No.: 2021-CP-26-04488
TANIEKA D. GAUSE,)	
)	
Plaintiff,)	
	)	DEFENDANT’S ANSWER TO
vs.	)	PLAINTIFF’S COMPLAINT
)	
JURDON L. THOMPSON, JR.	)	(JURY TRIAL DEMANDED)
)	
Defendant.)	

Defendant Jurdon L. Thompson, Jr. (hereinafter “Defendant”), by and through his undersigned attorneys, answers the Plaintiff’s Complaint as follows:

FOR A FIRST DEFENSE

1. Defendant denies each and every allegation of the Complaint not hereinafter specifically and unconditionally admitted.
2. Defendant admits, upon information and belief, the allegations of Paragraphs 1 through 4 of the Complaint.
3. Answering the allegations of Paragraphs 5 and 6 of the Complaint, Defendant admits that on or about the time and place complained of, a collision occurred between Plaintiff’s vehicle and Defendant’s vehicle. Defendant denies the remaining allegations of those paragraphs and demands strict proof thereof.
4. Defendant denies the allegations of Paragraph 7 of the Complaint.
5. Defendant is without sufficient information to form a belief as to the allegations of Paragraph 8 of the Complaint.
6. Answering the allegations of Paragraph 9 of the Complaint, Defendant realleges and reasserts all previous paragraphs as if set forth herein verbatim.
7. Paragraph 10 of the Complaint sets forth legal conclusions which require no response of Defendant. To the extent said paragraph requires a response, it is denied.

8. Defendant denies the allegations of Paragraph 11 of the Complaint, including all subparagraphs thereto.

9. Defendant denies the allegations of Paragraph 12 of the Complaint.

10. Defendant is without sufficient information to form a belief as to the allegations of Paragraph 13 of the Complaint, and therefore denies the same and demands strict proof thereof.

FOR A SECOND DEFENSE
(Comparative Negligence)

11. FURTHER ANSWERING, any damage suffered by the Plaintiff may be the direct and proximate result of her comparative and contributory negligence and Plaintiff's recovery should be barred, or alternatively, reduced proportionately to the Plaintiff's comparative negligence.

FOR A THIRD DEFENSE
(Punitive Damages)

12. FURTHER ANSWERING, Defendant alleges and says that the imposition of punitive damages on the basis of the accident giving rise to this lawsuit would represent the deprivation of liberty and property without due process of law, the imposition of cruel and unusual punishment and excessive fines and deny the equal protection of the laws in violation of the Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States and the comparable provisions of the Constitution of the State of South Carolina.

FOR A FOURTH DEFENSE
(Statutory Cap on Punitive Damages)

13. FURTHER ANSWERING, Defendant pleads all rights and limitations pursuant to §15-32-530 of the South Carolina Code of Laws, including but not limited to any and all limitations and caps on any award of punitive damages.

WHEREFORE, having fully answered Plaintiff's Complaint, Defendant prays that the same be dismissed with costs and for such other and further relief as this Court may deem to be just and proper.

[SIGNATURE ON FOLLOWING PAGE]

WILLSON JONES CARTER & BAXLEY, P.A.

s/ G. Troy Thames

G. Troy Thames, S.C. Bar No.: 69440

Dana Maurizio Klingener, S.C. Bar No.: 104196

421 Wando Park Boulevard, Suite 100

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Mount Pleasant, South Carolina

August 18, 2021

ATTORNEYS FOR DEFENDANT

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	Civil Action No.: 2021-CP-26-04488
)	
TANIEKA D. GAUSE,)	
)	
Plaintiff,)	
)	
vs.	)	CERTIFICATE OF SERVICE
)	
JURDON L. THOMPSON, JR.)	
)	
Defendant.)	

I hereby certify that ***DEFENDANT’S ANSWER TO PLAINTIFF’S COMPLAINT*** was served upon all counsel of record by electronically filing, a true and accurate copy thereof on August 18, 2021, as follows to:

Allyson R. Pittman, Esquire
 The Derrick Law Firm
 P.O. Box 28
 Conway, SC 29528
Attorneys for Plaintiff

s/ G. Troy Thames
 G. Troy Thames, S.C. Bar No.: 69440
 Dana Maurizio Klingener, S.C. Bar No.: 104196
 421 Wando Park Boulevard, Suite 100
 Mount Pleasant, SC 29464
 Telephone: (843) 284-0832
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 Email: tthames@wjcblaw.com
dmklingener@wjcblaw.com

ATTORNEYS FOR DEFENDANT

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	C/A NO.: 2021-CP-26-04488
)	
Tanieka D. Gause,)	
)	
Plaintiff,	)	SUMMONS
)	
vs.)	
)	
Jurdon L. Thompson, Jr. and)	
ARCO Design/Build, LLC)	
)	
Defendants.)	

TO THE DEFENDANTS ABOVE NAMED:

YOU ARE HEREBY SUMMONED and required to answer the Amended Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your Answer to the said Complaint on THE DERRICK LAW FIRM, at its office at Post Office Box 28, Conway, South Carolina, 29528, within Thirty (30) days after the service hereof, exclusive of the day of such service; and if you fail to answer the Complaint within the time aforesaid, the Plaintiff will apply to the Court for the relief demanded in the Complaint and judgment by default will be rendered against you for the relief demanded in the Complaint.

DATED this 6th day of January, 2022.

The Derrick Law Firm

s/Allyson R. Pittman

Allyson R. Pittman, Esquire
 Attorney for the Plaintiff
 PO Box 28
 Conway, SC 29528
 843-248-7486
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STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	C/A NO.: 2021-CP-26-04488
)	
Tanieka D. Gause,)	
)	
Plaintiff,	)	AMENDED COMPLAINT
)	
vs.	)	(Jury Trial Requested)
)	
Jurdon L. Thompson, Jr. and)	
ARCO Design/Build, LLC)	
)	
Defendant.)	

Plaintiff, Tanieka D. Gause (“Plaintiff”), by and through her undersigned counsel, complaining of the above-named Defendants, Jurdon L. Thompson, Jr. (“Defendant Thompson”) and ARCO Design/Build, LLC (“Defendant ARCO”), would respectfully show unto this Honorable Court the following:

1. Plaintiff is a citizen and resident of Little River, Horry County, South Carolina.
2. Upon information and belief, Defendant Thompson is a citizen resident of the State of Texas, at all times relevant hereto working in Horry County, South Carolina.
3. Upon information and belief, Defendant ARCO, is a limited liability corporation, incorporated in the State of Delaware, but at all times relevant hereto conducting business in the State of South Carolina.
4. Upon information and belief, Defendant Thompson is or was at all times relevant hereto and employee or agent of Defendant ARCO.
5. The automobile collision constituting the subject matter of this Complaint occurred in Horry County, South Carolina.
6. Jurisdiction and venue are proper before this Honorable Court.

FACTS

7. On or about June 16, 2021, Plaintiff was the driver of a 2004 Chevrolet traveling northbound on SC 9 near Little River, Horry County, South Carolina.

8. At the same time, Defendant was the operator of a 2013 Ford turning left onto SC 9 from a private drive near Little River, Horry County, South Carolina.

9. Defendant negligently and recklessly failed to yield the right of way and pulled into the path of Plaintiff's vehicle.

10. As a direct and proximate result of the collision, Plaintiff suffered severe, painful, and permanent injuries.

COUNT I – AS AGAINST DEFENDANT THOMPSON **(Negligent, Reckless, Willful, and/or Wanton Conduct)**

11. Plaintiff re-alleges and restates all previous paragraphs as if set forth herein verbatim.

12. Defendant owed a duty, while operating his vehicle, to exercise reasonable care to avoid collisions with other vehicles on the roadway.

13. The Defendant breached his duty and was negligent, reckless, willful, and wanton in the following particulars:

- (a) In failing to obey traffic laws;
- (b) In failing to keep a proper lookout;
- (c) In failing to keep his vehicle under proper control;
- (d) In failing to use due care;
- (e) In failing to properly observe the road and surrounding traffic conditions;
- (f) In operating the vehicle without using due care and without regard for safety and rights of Plaintiff;

- (g) In failing to maintain control of the vehicle;
- (h) In any other acts that represent a breach of the statutory or common laws of the State of South Carolina;
- (i) In failing to use that degree of care and caution necessary in the conditions that then and there existed;
- (j) In failing to adhere to laws as set forth under the Uniform Act Regulating Traffic on Highways. S.C. Code Ann. § 56-5-10 *et seq.*
- (k) In any other such manner that Plaintiff may become aware of through discovery and/or at trial.

14. The Defendant's actions constitute gross negligence and negligence *per se*.

15. As a result of Defendant Thompson's negligent, reckless, willful and/or wanton conduct, Plaintiff sustained severe, painful and permanent injuries.

COUNT II – AS AGAINST DEFENDANT ARCO
(Vicarious Liability)

16. Plaintiff re-alleges and restates all previous paragraphs as if set forth herein verbatim.

17. The negligent, reckless, willful, and or wanton acts or omissions committed by Defendant Thompson were done in the course and scope of his employment with Defendant ARCO.

18. By virtue of the doctrine of respondeat superior, Defendant ARCO is liable to Plaintiff for all damages cause by the negligent, reckless, willful, and/or wanton acts or omissions of Defendant Thompson while acting as an agent or employee of Defendant ARCO and within the course and scope of his employment.

19. As a result of Defendant AROC's employee's negligent, reckless, willful, and/or wanton conduct, Plaintiff sustained severe, painful and permanent injuries.

DAMAGES

20. As a result of the aforesaid acts and/or omissions of the Defendant, the Plaintiff sustained damages including:

- (a) Pain and suffering;
- (b) Injuries to and about her body;
- (c) Limitation of motion;
- (d) Worry, headaches, mental anguish and mental anxiety;
- (e) Permanent impairment, injuries, and disabilities;
- (f) Inability to perform his normal duties at work;
- (g) Loss of income;
- (h) Medical bills;
- (i) Loss of enjoyment of life;
- (j) Property damage; and
- (k) Any other losses which may be unearthed throughout the litigation of this matter.

WHEREFORE, Plaintiff prays this Court enter judgment against Defendants for actual damages in an amount greater than one hundred thousand dollars and punitive damages in an appropriate amount, and for the costs of this action and for such other and further relief as this Honorable Court deems just, in an amount to be determined by a jury.

[Signature Page to Follow]

The Derrick Law Firm

s/Allyson R. Pittman

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January 6, 2022
Conway, South Carolina

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
)	
COUNTY OF HORRY	)	FIFTEENTH JUDICIAL CIRCUIT
	)	Civil Action No.: 2021-CP-26-04488
TANIEKA D. GAUSE,)	
)	
Plaintiff,)	
)	
vs.	)	DEFENDANT JURDON L. THOMPSON,
	)	JR'S ANSWER TO PLAINTIFF'S
JURDON L. THOMPSON, JR and ARCO	)	AMENDED COMPLAINT
DESIGN/BUILD, LLC,)	
	)	(JURY TRIAL DEMANDED)
Defendants.)	

Defendant Jurdon L. Thompson, Jr. (hereinafter "Defendant"), by and through his undersigned attorneys, answers Plaintiff's Amended Complaint as follows:

FOR A FIRST DEFENSE

1. Defendant denies each and every allegation of the Amended Complaint not hereinafter specifically and unconditionally admitted.
2. Defendant admits, upon information and belief, the allegations of Paragraphs 1 through 8 of the Amended Complaint.
3. Answering the allegations of Paragraphs 9 of the Amended Complaint, Defendant admits that on or about the time and place complained of, a collision occurred between Plaintiff's vehicle and Defendant's vehicle. Defendant denies the remaining allegations of those paragraphs and demands strict proof thereof.
4. Defendant denies the allegations of Paragraph 10 of the Amended Complaint.
5. Answering the allegations of Paragraph 11 of the Amended Complaint, Defendant alleges and reasserts all previous paragraphs as if set forth herein verbatim.
6. Paragraph 12 of the Amended Complaint sets forth legal conclusions which require no response of this Defendant. To the extent said paragraph requires a response, it is denied.
7. Defendant denies the allegations of Paragraphs 13 through 15 of the Amended Complaint, including all subparagraphs thereto.

8. Answering the allegations of Paragraph 16 of the Amended Complaint, Defendant alleges and reasserts all previous paragraphs as if set forth herein verbatim.

9. Paragraphs 17 through 19 of the Amended Complaint require no response of Defendant. To the extent said Paragraphs contains any allegations against this Defendant, they are denied.

10. Defendant denies the allegations of Paragraph 20 of the Amended Complaint, including all subparagraphs thereto.

FOR A SECOND DEFENSE

11. Defendant Thompson reserves and asserts all rights under S.C. Code Ann. §15-38-15.

FOR A THIRD DEFENSE
(Comparative Negligence)

12. FURTHER ANSWERING, any damage suffered by the Plaintiff may be the direct and proximate result of her comparative and contributory negligence and Plaintiff's recovery should be barred, or alternatively, reduced proportionately to the Plaintiff's comparative negligence.

FOR A FOURTH DEFENSE
(Punitive Damages)

13. FURTHER ANSWERING, Defendant alleges and says that the imposition of punitive damages on the basis of the accident giving rise to this lawsuit would represent the deprivation of liberty and property without due process of law, the imposition of cruel and unusual punishment and excessive fines and deny the equal protection of the laws in violation of the Fifth, Sixth, Eighth and Fourteenth Amendments to the Constitution of the United States and the comparable provisions of the Constitution of the State of South Carolina.

FOR A FIFTH DEFENSE
(Statutory Cap on Punitive Damages)

14. FURTHER ANSWERING, Defendant pleads all rights and limitations pursuant to §15-32-530 of the South Carolina Code of Laws, including but not limited to any and all limitations and caps on any award of punitive damages.

WHEREFORE, having fully answered Plaintiff's Amended Complaint, Defendant prays that the same be dismissed with costs and for such other and further relief as this Court may deem to be just and proper.

WILLSON JONES CARTER & BAXLEY, P.A.

s/ Dana M. Klingener

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North Charleston, South Carolina

January 18, 2022

**ATTORNEYS FOR DEFENDANT
JURDON L. THOMPSON, JR.**

STATE OF SOUTH CAROLINA	)	IN THE COURT OF COMMON PLEAS
	)	FIFTEENTH JUDICIAL CIRCUIT
COUNTY OF HORRY	)	Civil Action No.: 2021-CP-26-04488
)	
TANIEKA D. GAUSE,)	
)	
Plaintiff,)	
)	
vs.	)	CERTIFICATE OF SERVICE
)	
JURDON L. THOMPSON, JR. and ARCO)	
DESIGN/BUILD, LLC,)	
)	
Defendants.)	

I hereby certify that a copy of a ***DEFENDANT'S ANSWER TO PLAINTIFF'S AMENDED COMPLAINT*** was served upon all counsel of record by electronically filing and/or by depositing in the United States Mail, proper postage affixed thereto, a true and accurate copy thereof on January 18, 2022, as follows to:

Allyson R. Pittman, Esquire
The Derrick Law Firm
P.O. Box 28
Conway, SC 29528
Attorneys for Plaintiff

s/ Dana M. Klingener
G. Troy Thames, S.C. Bar No.: 69440
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**ATTORNEYS FOR DEFENDANT
JURDON L. THOMPSON, JR.**